

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.21462 of 2017 (O&M)

Date of Decision: 07.11.2017

Sandeep Kumar

... Petitioner

VS.

State of Haryana & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Ajit Kumar, Advocate for
Mr. RD Yadav, Advocate for the petitioner

SURYA KANT, J. (Oral)

(1) The petitioner is aggrieved by the denial of allotment of 100 sq.yard plot in terms of Mahatma Gandhi Gramin Basti Yojna whereunder landless persons belonging to marginalized sections of society were allotted such plots. The Deputy Commissioner, Rewari vide impugned order dated 17.07.2017 has rejected the petitioner's claim on the ground that he is living with his father Suresh Kumar who in turn is working in Railway Department and as such the family cannot be said to be living below the poverty line. The petitioner relies upon ration card (P8) to contend that he is living separately from his father. In our considered view, such like factual issues can be adjudicated by the administrative authorities only.

(2) The writ petition is accordingly disposed of with liberty to petitioner to approach the Commissioner, Gurgaon Division, who in turn, is directed to summon the record and determine the petitioner's claim preferably within four months from the date of receipt of certified copy of this order.

(Surya Kant)
Judge

07.11.2017

vishal shonkar

(Sudhir Mittal)
Judge